

OKLAHOMA WORKFORCE DEVELOPMENT ISSUANCE #01-2020

TO: Chief Local Elected Officials
Workforce Development Board Chairs
Workforce Development Board Staff
Workforce Development Fiscal Agents
WIOA Partner Executive Directors

FROM: Don Morris, Executive Director

DATE: January 31, 2020

SUBJECT: Business Services

PURPOSE: The Oklahoma Office of Workforce Development (OOWD), as the Governor's chosen Workforce Innovation and Opportunity Act (WIOA) administrative entity, provides this issuance as joint guidance to the local workforce development boards and core partners for the provision of Business Engagement and Business Services.

REFERENCES:

- WIOA sec. 108(b)(4)
- WIOA sec 134(c)(1)(A)(v) and (d)(1)(A)
- 20 CFR 678.435
- 34 CFR 361.435
- 34 CFR 463.435
- TEGL No. 16-16
- TEGL No. 16-16 Change 1
- OWDI #06-2018

MESSAGE: The Joint WIOA Final Rule requires the provision of business services through the American Job Center (AJC) network, to support a local workforce development system that meets the needs of businesses in the local area. Through the Oklahoma Works American Job Centers (OWAJC), the core partners and other workforce partner entities (as determined by the local area) must develop, offer, and deliver quality business services that assist businesses and industry sectors in overcoming the challenges of recruiting, retaining, and developing talent for the regional economy. To support area employers and industry sectors most effectively, OWAJC staff (including designated partner program staff) must:

- Have a clear understanding of industry skill needs;
- Identify appropriate strategies for assisting employers and coordinate business services activities across OWAJC partner programs and local economic development agencies, as appropriate; and
- Incorporate an integrated and aligned business services strategy among OWAJC partners to present a unified voice for the American Job Center in its communications with employers.

Each local workforce development board (LWDB) is required to facilitate engagement in workforce development programs. The goals of business engagement goals are to:

- Increase awareness of services and resources provided through the workforce system;
- Increase the likelihood of employers hiring job seekers through the workforce system;

RESCISSIONS

None

EXPIRATION DATE

Continuing



- Create and strengthen career pathways aligned to business and industry demand;
- Provide business intelligence to employers, intermediaries, and partners to ensure the workforce is relevant and useful;
- Ensure strong talent pipelines for demand occupations that allow business to grow and be successful; and
- Establish the LWDB as an integral partner that adds value to regional economic development efforts by making connections to workforce strategies, solutions, and cutting-edge labor market research and data.

INSTRUCTIONS: Each LWDB's local plan must include a description of the strategies and services used in the local area to:

- Facilitate engagement of employers in workforce development programs, including small employers and employers in in-demand industry sectors and occupations;
- Support a local workforce development system that meets the needs of businesses in the local area;
- Better coordinate workforce development programs and economic development; and
- Strengthen linkages between the one-stop delivery system (OWAJC) and unemployment insurance programs.

The Local Plan must also describe strategies and services that will be used in the local area to implement initiatives such as incumbent worker training, on-the-job training programs, customized training programs, industry and sector strategies, career pathway initiatives, utilization of effective business intermediaries, and other business services and strategies.

The Integrated Business Services Self-Assessment, provided as Attachment A to this issuance, is a self-assessment to be completed by the local workforce development area's business service team, created to help the local area drill down into how integrated and effective their business services are currently, and to determine where enhancements can be made. The assessment is a requirement for use by each LWDA as part of their strategic planning process. The tool is designed to be used as a framework to focus the conversation between workforce partners on how they will address the challenge of becoming more responsive to businesses as a collective unit and will help local areas determine what a "high-performing" integrated business services system will look like.

Business Services Staff

The goal of business services staff is to assist businesses in developing the long-term strength of their workforce. This is generally accomplished by considering the specific needs of the business, as expressed by the employer. The most beneficial business service method involves listening to the employer, asking probing questions, and offering services that are most applicable to the employer's stated needs, rather than just offering a list of services. The effectiveness of the services provided to the business is ultimately more important than the number of services provided.

Business Services Team Structure and Function

Each local workforce development area (LWDA) is required to have a business services team (BST). The local BST is generally staffed by WIOA core partners, including Wagner-Peyser, the LWDB Business Services Representative, Adult Education and Literacy, Vocational Rehabilitation, and other workforce partner entities as determined by the local area. The core partners in the LWDA will each designate the staff member that will be their BST representative, for example, the area Wagner-Peyser Manager or their designated representative.

It is the responsibility of the BST to establish a single point of contact for employers. The single point of contact represents the core partners and is responsible for the coordination of business services, including making referrals to other partners as appropriate.

OOWD will provide funding to each LWDB to ensure at least one full-time employee (FTE) dedicated to business services in their local area. These funds will be structured as a discretionary grant, where time charged by staff for the provision of business services activities may be charged to the grant account. The funds may be used for salary,

fringe, training, supplies, travel, customer relationship management (CRM) licenses, a video conferencing subscription, and/or other items to ensure the delivery of business services to local and regional employers.

Each LWDB must ensure:

- FTEs are trained in required activities.
- All core business services are made available and provided in the local area/region, including
 - Rapid Response/layoff aversion,
 - Data provision,
 - Register Apprenticeship (RA) outreach and program development,
 - Employer focused events (a minimum of one per quarter),
 - Sector partnership support,
 - Competency-based hiring, and
 - Employer incentive promotion and training.
- The development of a coordinated business services strategic plan for the region that includes workforce development and economic development and/or chamber staff.
 - This should include a business needs assessment to inform strategy (e.g., LMI data review, employer focus groups, interviews, survey data, etc.)
 - OOWD may offer technical assistance in the form of local team facilitation
- Monitoring of performance and implementation of continuous improvement strategies as needed.
- Promotion of business services via LWDB website.
- Partnership with economic development, chambers, and Oklahoma Department of Commerce (ODOC) teams on an ad-hoc basis in order to develop workforce development strategies and solutions for business recruitment and expansion activities.
- The development of a communications strategy for employer engagement activities.

Business Services through the One-Stop Delivery System

The following business services may be provided through the one-stop delivery system:

- a. Certain career services must be made available to local employers, specifically labor exchange activities and labor market information described in 20 CFR 678.430. Local areas must establish and develop relationships and networks with large and small employers and their intermediaries, and develop, convene, or implement industry or sector partnerships.
- b. Customized business services may be provided to employers, employer associations, and other such organizations. These services are tailored for specific employers and may include:
 1. Customized screening and referral of qualified participants in training services to employers;
 2. Customized services to employers, employer associations, or other such organizations, on employment-related issues;
 3. Customized recruitment events and related services for employers, including targeted job fairs
 4. Human resource consultation services, including but not limited to assistance with:
 - i. Writing/reviewing job descriptions and employee handbooks;
 - ii. Developing performance evaluation and personnel policies;
 - iii. Creating orientation sessions for new workers;
 - iv. Honing job interview techniques for efficiency and compliance;
 - v. Analyzing employee turnover;
 - vi. Creating job accommodations and using assistive technologies; or
 - vii. Explaining labor and employment laws to help employers comply with discrimination, wage/hour, and safety/health regulations;
 5. Customized labor market information for specific employers, sectors, industries, or clusters; and
 6. Other similar customized services.
- c. Local areas may also provide other business services and implement strategies that meet the workforce development needs of area employers, in accordance with the statutory and regulatory requirements of partner programs and consistent with Federal cost principles. These business services may be provided through effective business intermediaries working in conjunction with the LWDB, or through the use of

economic development, philanthropic, and other public and private resources in a manner determined appropriate by the LWDB and in cooperation with OOWD. Allowable activities, consistent with each partner's authorized activities include, but are not limited to:

1. Developing and implementing industry sector strategies (including strategies that involve industry partnerships, regional skills alliances, industry skill panels, and sectoral skills partnerships);
2. Customized assistance or referral for assistance in the development of a registered apprenticeship program;
3. Developing and delivering innovative workforce investment services and strategies for area employers, which may include career pathways, skills upgrading, skill standard development and certification for recognized postsecondary credential or other employer use, and other effective initiatives for meeting the workforce investment needs of area employers and workers;
4. Assistance to area employers in managing reductions in force in coordination with rapid response activities and with strategies for the aversion of layoffs, which may include strategies such as early identification of firms at risk of layoffs, use of feasibility studies to assess the needs of and options for at-risk firms, and the delivery of employment and training activities to address risk factors;
5. The marketing of business services to appropriate area employers, including small and mid-sized employers; and
6. Assisting employers with accessing local, State, and Federal tax credits.

Fee-for-Service

Although WIOA allows customized employer-related services (described in (b) and (c) of the Business Services through the One-Stop Delivery System section of this document) to be provided on a fee-for-service basis, there is no requirement that a fee must be charged to employers. Services provided under section (c) may be provided through effective business intermediaries working in conjunction with the LWDB, either on a fee-for-service basis or through leveraging of economic development, philanthropic, and other public and private resources in a manner determined by the LWDB. When opting to provide business services on a fee-for-service basis, the LWDB must examine the services to be provided compared with the assets and resources available within the Oklahoma Works American Job Centers in their area and through its partners to determine an appropriate cost structure for services, if any. Any fees earned for customized employer-related services are considered program income, and must be expended in accordance with the appropriate partner program's authorizing statute, implementing regulations, and Federal cost principles in the Uniform Guidance.

No fee may be charged for the career services that must be made available to local employers, which are those listed in section (a) above. A fee-for-service may not be charged for recruitment and other business services on behalf of employers, including referrals to specialized business services (i.e., business services other than those traditionally offered through the one-stop delivery system). Additionally, a fee may not be charged for the provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including job vacancy listings in labor market areas; information on job skills necessary to obtain the vacant jobs listed; and information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for those jobs.

Business Services Toolbox

The following list of business services tools are provided to the local areas as options to help guide conversations with employers. Priority business services may include:

- LMI Reports with recommendations on recruitment strategies
- Competency-based hiring practices
 - Assessing new hires for hidden skills using a competency based skills assessment agreed upon by the BST
 - Screening candidates for hire
 - Examples of competency-based assessments may include, but are not limited to, WorkKeys®, Microburst Learning, introduction to safety credentials, and computer familiarity skill assessments
- Sector partnerships

- Expanding Registered Apprenticeship (RA) opportunities
- Employer-focused events and outreach
 - Specialized recruitment events/job fairs
 - Workforce Summit
 - RA/Work-Based Learning (WBL) Summit
 - Disabilities Summit
 - Youth Summit
- Rapid Response - WIOA required
- Layoff Aversion - WIOA required
- Promotion of employer incentives (RA tax credit, Work Opportunity Tax Credit (WOTC), Incumbent Worker Training (IWT), etc.

Other business services tools:

- Posting job orders, including job order analytics
- Promoting OWAJCs and OKJobMatch as part of communications strategy
- Providing space for interviews at the OWAJC

Evaluation of Business Services

Each LWDA will be evaluated by the following measures, based on benchmarks established in Year 1, which covers July 1, 2019 – June 30, 2020:

- Effectiveness in serving employers;
- Repeat customers of the workforce system, defined as the number of employers who return to workforce board/centers for services;
- Customer satisfaction survey results;
- Output metrics:
 - Number of employer outreach contacts per month;
 - Number of employer-focused events conducted per quarter; and
- Number of active sector partnerships.

Effectiveness in Serving Employers

WIOA requires the establishment of performance accountability measures that apply across the WIOA core programs (Title I b Adult, Dislocated Worker and Youth programs, Title II Adult Education and Literacy, Title III Wagner-Peyser, and Title IV Vocational Rehabilitation). Effectiveness in serving employers is the sixth primary indicator of performance required by WIOA. [Click here for OWDI #06-2018, guidance for carrying out the performance accountability requirements mandated by WIOA section 116: https://oklahomaworks.gov/wp-content/uploads/2018/06/OWDI-06-2018-Effectiveness-in-Serving-Employers.pdf](https://oklahomaworks.gov/wp-content/uploads/2018/06/OWDI-06-2018-Effectiveness-in-Serving-Employers.pdf).

EQUAL OPPORTUNITY AND NONDISCRIMINATION STATEMENT: All Recipients, and Sub-recipients/Sub-grantees must comply with WIOA's Equal Opportunity and Nondiscrimination provisions which prohibit discrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief, or, for beneficiaries, applicants, and participants only, on the basis of citizenship status or participation in a WIOA Title-I financially assisted program or activity.

ACTION REQUIRED: This Oklahoma Workforce Development Issuance (OWDI) is to become a part of your permanent records and made available to appropriate staff and sub-recipients.

INQUIRIES: [If you have any questions about this issuance, please contact Staff in the Oklahoma Office of Workforce Development. Contact information can be found at http://www.oklahomaworks.gov/about/.](http://www.oklahomaworks.gov/about/)